

ESTTA Tracking number: **ESTTA261959**

Filing date: **01/21/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049533
Party	Defendant Kira Plastinina Style, Ltd.
Correspondence Address	Jessie K. Reider BUCHALTER NEMER 1000 Wilshire Boulevard, Suite 1500 Los Angeles, CA 90017 UNITED STATES trademark@buchalter.com
Submission	Request to Withdraw as Attorney
Filer's Name	Jessie K. Reider
Filer's e-mail	trademark@buchalter.com, jreider@buchalter.com
Signature	/jkr/
Date	01/21/2009
Attachments	Motion to Withdraw As Representatives.pdf (2 pages)(7714 bytes)

Motion to Withdraw As Representative – Mandatory Withdrawal

Cancellation Proceeding Number: 92049533

Registrant: Kira Plastinina Style, Ltd.

Pursuant to 37 C.F.R. §2.19(b), the Attorney of Record in the above identified Cancellation Proceeding, Jessie Reider of Buchalter Nemer, (“Attorney”) respectfully requests that the Board grant this motion to withdraw as representative of record. As discussed more completely below, the Attorney has complied with the requirements set forth under 37 C.F.R. §10.40, the withdrawal is mandatory under subsection (4) of the C.F.R., and that Kira Plastinina Style, Ltd. (“KP”) will not be prejudiced by granting of this motion.

1) **Reasons for the Request to Withdraw:** Attorneys no longer represent KP with regard to any trademark matters, including litigation matters, TTAB matters and Trademark Office matters. Earlier this month, Attorneys were replaced by a different law firm with regard to ongoing federal court litigation. The instant Cancellation Proceeding has been suspending pending disposition of that federal litigation. KP has since discharged Attorney from all representation. To that end, earlier this month Attorney asked KP to appoint its new attorneys as the representatives of record in this matter. Attorneys informed KP’s representatives that, unless that appointment was submitted before January 20, 2009, Attorneys would file the instant Motion. KP’s representatives indicated that its new law firm would be filing the necessary documents. However, to Attorneys’ knowledge, no such documents have been filed.

KP has discharged Attorney and Attorney’s firm from any further representation, including the instant proceeding.

2) **Notice Requirements:** KP notified Attorney of its new representatives, and, upon information and belief, the new attorney has already begun representation. Attorney submits that KP’s new attorney, already having filed a Substitution of Attorney in the federal court for the Central District of California, is equipped to take over representation in the instant proceeding, and that there will be no prejudice to KP in granting this Motion.

3) **Files Have Been Transferred:** Today Attorneys transferred all of KP’s files, including all papers related this Proceeding. All of the files were placed directly into the hands of KP’s representatives, and, as of this afternoon, KP has possession of all of its trademark files from Attorneys. Although there are not currently any deadlines in the instant Proceeding, KP has been giving a complete docket report, as well as an email summation of the upcoming trademark deadlines.

4) **Attorney Does Not Owe KP Any Unused Fees:** Attorney does not owe KP any unused fees.

5) **Proof of Service**: Attorney has served KP as well as the attorney of record for Petitioner via email on January 21, 2009.

Conclusion

Based on the foregoing, Attorney submits that the requirements have been met and that the instant Motion should be granted.

If any additional information is required, please do not hesitate to contact the undersigned.

/jkr/
Jessie K. Reider
Attorney of Record
Buchalter Nemer
1000 Wilshire Blvd., Suite 1500
Los Angeles, California 90017
213-891-5031